

REMARKS

Prior to entry of this amendment, claims 1-10 are currently pending in the subject application. By the instant amendment, the specification is amended to correct an error of a typographical nature. Claims 1 and 5 are independent.

Applicants appreciate the Examiner's acknowledgement of applicants' claim for foreign priority and receipt of a certified copy of the priority document.

Applicants also appreciate the Examiner's acknowledgement of the acceptability of the drawings filed on October 10, 2003.

Applicants further appreciate the Examiner's indication that claims 2-5 and 7-10 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1-10 are presented to the Examiner for further prosecution on the merits.

A. Introduction

In the outstanding Office action, the Examiner rejected claims 1 and 6 under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 6,282,803 to Dunne ("the Dunne reference") in view of U.S. Patent No. 4,414,753 to Moulin et al. ("the Moulin et al. reference") and objected to claims 2-5 and 7-10 as being dependent upon a rejected base claim, but indicated that claims 2-5 and 7-10 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

B. Asserted Obviousness Rejection of Claims 1 and 5

In the outstanding Office action, the Examiner rejected claims 1 and 5 under 35 U.S.C. § 103(a) as being unpatentable over the Dunne reference in view of the Moulin et al. reference. It is respectfully submitted that this rejection is traversed for at least the following reasons.

In presenting this obviousness rejection, the Examiner recognized that the Dunne reference fails to disclose “a calculation unit for calculating slopes dx/dt and dy/dt of the signals x and y , and the number of sign changes N_x and N_y of the slope dx/dt of the signal x and the slope dy/dt of the signal y .” *Office action of Oct. 6, 2004, at p. 3*. Accordingly, the Examiner relied on the Moulin et al. reference for this teaching. Specifically, the Examiner stated:

Moulin et al. disclose a process for compensating the magnetic disturbances in the determination of a magnetic heading, and devices for carrying out this process that [include] a calculation unit for calculating slopes dx/dt and dy/dt of the signals x and y , and the number of sign changes N_x and N_y of the slope dx/dt of the signal x and the slope dy/dt of the signal y (see e.g. cols. 2-10).

Id.

Applicants respectfully submit that the Moulin et al. reference fails to disclose or suggest such a calculation unit as recited in claims 1 and 6 of the subject application. While the Moulin et al. reference does disclose “a process for compensating the magnetic disturbances influencing the measurements of a device for determining the magnetic heading,” the Moulin et al. reference fails to disclose or suggest the calculation unit or “calculating slopes dX/dt and dY/dt of the signals X and Y , respectively, and the number of sign changes N_x and N_y of the slope dX/dt of the signal X and the slope dY/dt of the signal Y ,” as recited in claims 1 and 6. Should the Examiner maintain this rejection in a subsequent Office action, it is respectfully requested that the Examiner indicate with greater specificity where in the Moulin et al. reference that the teaching of the calculation unit of the present invention and the operation thereof may be found.

Thus, applicants respectfully submit that the subject invention, as presently recited in claims 1 and 6, is patentably distinct from the disclosure of the combination of the Dunne and Moulin et al. references.

Accordingly, reconsideration and withdrawal of the rejections of claims 1 and 6 are respectfully requested.

C. Allowable Subject Matter

In the outstanding Office action, the Examiner objected to claims 2-5 and 7-10 for depending from a rejected base claim, but indicated that claims 2-5 and 7-10 would be allowable if rewritten in independent form, and to include all of the limitations of the base claim and any intervening claims.

As noted above, independent claims 1 and 6, from which claims 2-5 and 7-10 respectively depend, are believed to be allowable. Accordingly, claims 2-5 and 7-10 are believed to be similarly allowable as depending from an allowable base claim. Thus, as claims 2-5 and 7-10 are believed to be allowable, a notice to such effect is respectfully requested.

Accordingly, favorable reconsideration of and withdrawal of the objections to claims 2-5 and 7-10 are respectfully requested.

D. Conclusion

Since the cited prior art references neither anticipate nor render obvious the subject invention as presently claimed, applicants respectfully submit that claims 1-10 are now in condition for allowance, and a notice to that effect is respectfully requested.

The remaining documents cited by the Examiner were not relied on to reject the claims. Therefore, no comments concerning these documents are considered necessary at this time.

If the Examiner believes that additional discussions or information might advance the prosecution of the instant application, the Examiner is invited to contact the undersigned at the telephone number listed below to expedite resolution of any outstanding issues.

In view of the foregoing amendments and remarks, reconsideration of this application is earnestly solicited, and an early and favorable further action upon all the claims is hereby requested.

Respectfully submitted,

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PETITION and
DEPOSIT ACCOUNT CHARGE AUTHORIZATION

This document and any concurrently filed papers are believed to be timely. Should any extension of the term be required, applicant hereby petitions the Director for such extension and requests that any applicable petition fee be charged to Deposit Account No. 50-1645.

If fee payment is enclosed, this amount is believed to be correct. However, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-1645.

Any additional fee(s) necessary to effect the proper and timely filing of the accompanying-papers may also be charged to Deposit Account No. 50-1645.